

- 6 -

Remarks

We are in receipt of the Office Action dated July 17, 2006, and the above amendments and following remarks are made in light thereof.

Claims 14-22 are pending in the application. Pursuant to the Office Action, claims 14-22 are rejected under 35 USC 103(a) as being unpatentable over Szinte 5,833,428 in view of Antal 4,722,651, and further in view of Ahrens 5,398,983, Christenson 5,769,592 or Schreiber et al. 6,821,074. This rejection was made final.

Pending claims 14 and 22 are independent claims directed to a grasper or a refuse receptacle lifter that includes a support or support structure having first and second gripper arms pivotally carried by or mounted thereto. The first and second gripper arms are pivotable between a first position in which first and second gripper arms extend generally away from each other and a second, low profile position generally adjacent the support in which the first and second gripper arms extend generally toward one another. As required by claim 14, first arm defines an arm receiving region between portions of the first arm for receiving the second arm when in the second position. Similarly, claim 22 requires a first gripper arm with first and second arm members,

- 7 -

the second gripper arm being located between the gripper arm members of the first gripper arm for storage.

The Examiner acknowledges that Szinte does not show a first arm that defines an arm-receiving region between portions of which the second arm is received in or nests when in the second position, and further acknowledges that Szinte, as modified by Antal does not show a first gripper arm that defines an arm receiving region in which the second arm nests. The Examiner cites alternatively, Ahrens, Christenson and Schreiber et al. as showing this feature.

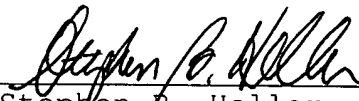
None of Ahrens, Christenson and Schreiber et al. discloses or suggests gripper arms in which one arm nests in the other arm when the gripper arms are in the low-profile storage position, as required the present claims. In each of these references, the low-profile position is that in which the arms extend away from each other, not toward to each other. In addition, none of the devices shown in Ahrens, Christenson and Schreiber et al. are capable of obtaining a low-profile position which the two arms are pointing toward each other, in contrast to the claimed invention. Instead, the arms of the lifters in Ahrens, Christenson and Schreiber et al. extend generally perpendicular to their supports when in their "second position." See, respectively, Fig. 2, Fig. 5 and Fig. 7.

- 8 -

Thus, applicants submits that neither claim 14 nor 22 is rendered obvious by the combination of references cited by the Examiner. Each of claims 15-21 is dependent either directly or indirectly from claim 14, and are thus allowable for at least the same reason.

Accordingly, Applicant respectfully submits that the claims pending in the application distinguish over the prior art and are, thus, allowable. Accordingly, an early Office Action in this regard is earnestly solicited.

Respectfully submitted,


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